IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

TYLER MILLER,)
Plaintiff,)
)
V.) Case No.: 1:20-cv-04849
)
BRIGHTSTAR ASIA, LTD.,) District Judge George B. Daniels
) Magistrate Judge James L. Cott
Defendant.	
	•

DECLARATION OF FRANKIE N. SPERO IN SUPPORT OF DEFENDANT'S SECOND MOTION TO DISMISS THE FIRST AMENDED COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(6)

- I, Frankie N. Spero, under penalty of perjury pursuant to 28 U.S.C. § 1746, declare as follows:
- 1. I am a partner with Bradley Arant Boult Cummings LLP, counsel for defendant Likewize Hong Kong Limited f/k/a Brightstar Asia, Ltd. ("Brightstar Asia"), in the above-captioned matter. I submit this declaration on behalf of Brightstar Asia in support of its Second Motion to Dismiss the First Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6).
- 2. Attached hereto as **Exhibit A** is a true and correct copy of the Amended and Restated Master Services Agreement entered into between Brightstar Corp. and Harvester Technologies Inc., dated April 9, 2018. Attached hereto as **Exhibit B** is a true and correct copy of the Statement of Work #1 entered into between Brightstar Corp. and Harvestar Technologies, Inc. dated on or about April 9, 2018.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 23, 2022

Frankie N. Spero